

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Richard C. Hvizdak
Plaintiff

Civil Action No. 14 – 406

v.

Magistrate Judge Mitchell
District Judge Cohill

CITIZENS BANK OF PENNSYLVANIA,
RBS CITIZENS,
CITIZENS FINANCIAL GROUP, NAS Rule 72, F.R.Civ.P.
ROYAL BANK OF SCOTLAND PLC,
KAREN D. BUDNIAK, Senior VP
Defendants

MOTION TO FURTHER SUPPLEMENT WITH EXHIBITS THE
OBJECTIONS TO THE REPORT AND RECOMMENDATION
28 USC 636 (b)(1)(B)

To the Honorable Judges of the
United States District Court for
The Western District of Pennsylvania

Plaintiff Hvizdak moves to further supplement his
Objections to the U.S. Magistrate Judge's Report and
Recommendations with Exhibits that emphasize the personal harm
to your Plaintiff inflicted by RBS/Citizens, and which refutes that
the injuries complained of are sustained only as that of a Guarantor.

The correspondence dating from May 2014 by
Plaintiff to two sets of counsel representing the RBS/Citizens
Defendants in both the local and multidistrict cases complains
that Hvizdak could not open a personal checking account at the
Wesbanco branch in Bloomfield (Pittsburgh) upon information

provided by defendants about him, not his corporations or his trusts. Corporations or trust are not identified by their social security numbers or drivers license numbers. Defendants submitted a report to the Chexsystem database accusing Hvizdak of "account abuse".

This case began in state court on February 28, 2014 and was removed to federal court on March 26 only to be further transferred to the multi state tribunal in New York in April 2014. Hvizdak's discovery of the Chexsystem report was in May 2014 after the complaint had been filed. Substantial justice requires leave of court be granted both to supplement the Plaintiff Objections but to amend the original complaint to better amplify the defamatory and personal character of the RBS Citizens behavior here. Hvizdak is no mere guarantor when his personal credit reputation is savaged by the continuing tort noted here. Standing for Hvizdak to sue cannot be disputed.

Although the U.S. Magistrate based his Report recommending dismissal of this action only upon the standing that Hvizdak, as a "mere guarantor," lacks, the May 2014 discovery should relieve any concerns that the statute of

limitations might bar an action against RBS/Citizens.

Your Plaintiff claims all rights and waives no rights that he has to amend or supplement the aforementioned objections;

WHEREFORE, Your Plaintiff Richard C. Hvizdak respectfully moves that the Honorable Judges of the United States District Court for the Western District of Pennsylvania GRANT the following relief:

- a) DENY and DISMISS the Report and Recommendations of the U.S. Magistrate Judge; and/or
- b) GRANT leave of court for the Plaintiff to amend the Complaint; and/or
- c) REMAND the case to the Court of Common Pleas of Allegheny County for disposition of the case; and/o
- d) SUPPLEMENT the Objections with Exhibits
- d) and any other relief deemed appropriate by the Court for a disposition on the merits.

Respectfully submitted,



Richard C. Hvizdak
110 South Main Street
Pittsburgh Pa 15220
(561) 271-9790

DATE: 06-12-2015


SERVICE OF PROCESS

I hereby certify that I have served a true and correct copy of the Plaintiffs Motion to Supplement Objections to the Report and Recommendations with Exhibits by first class US mail and fax to the following:

Hon. Judge Robert C. Mitchell, USMJ
Hon. Judge Maurice B. Cohill Jr USSDJ
Hon. Robert V. Barth, Clerk of the Court
US District Court for the Western District of Pennsylvania
US Post Office and Courthouse
Seventh and Grant Streets
Pittsburgh Pa 15219

Robert J. Hannen, Esq.
ECKERT SEAMANS
600 Grant Street USX Tower 44th floor
Pittsburgh Pa 15219 (Counsel for all RBS Defendants)

Date: 06-12-2015



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